

Maine Revised Statutes
Title 19-A: DOMESTIC RELATIONS
Chapter 61: MAINE PARENTAGE ACT

§1862. EXECUTION OF ACKNOWLEDGMENT OF PATERNITY

1. Requirements. An acknowledgment of paternity under section 1861 must:

- A. Be in a record; [2015, c. 296, Pt. A, §1 (NEW); 2015, c. 296, Pt. D, §1 (AFF).]
- B. Be signed, or otherwise authenticated, under penalty of perjury by the woman giving birth and by the man seeking to establish his paternity; [2015, c. 296, Pt. A, §1 (NEW); 2015, c. 296, Pt. D, §1 (AFF).]
- C. State that:
 - (1) There is no other presumed parent of the child or, if there is another presumed parent, state that parent's full name; and
 - (2) There is no other acknowledged father and no adjudicated parent of the child other than the woman giving birth; [2015, c. 296, Pt. A, §1 (NEW); 2015, c. 296, Pt. D, §1 (AFF).]
- D. State whether there has been genetic testing and, if so, that the acknowledging man's claim of paternity is consistent with the results of the testing; [2015, c. 296, Pt. A, §1 (NEW); 2015, c. 296, Pt. D, §1 (AFF).]
- E. State that the man signing the acknowledgment believes himself to be the biological father; and [2015, c. 1, §12 (COR).]
- F. State that the signatories understand that the acknowledgment is the equivalent of a court determination of paternity of the child and that a challenge to the acknowledgment is permitted only under limited circumstances and is barred after 2 years. [2015, c. 296, Pt. A, §1 (NEW); 2015, c. 296, Pt. D, §1 (AFF).]

[2015, c. 1, §12 (COR) .]

2. Notice. Before the woman giving birth or alleged father may sign an acknowledgment of paternity under section 1861, the woman giving birth and the putative father must be given oral and written notice of the alternatives to, the legal consequences of and the rights and responsibilities that arise from signing the acknowledgment.

[2015, c. 296, Pt. A, §1 (NEW); 2015, c. 296, Pt. D, §1 (AFF) .]

3. Acknowledgment voidable. An acknowledgment of paternity under section 1861 is voidable if it:

- A. States that another person is a presumed parent, unless a denial of parentage signed or otherwise authenticated by the presumed parent is filed with the State Registrar of Vital Statistics; [2015, c. 296, Pt. A, §1 (NEW); 2015, c. 296, Pt. D, §1 (AFF).]
- B. States that another person is an acknowledged father or adjudicated parent; or [2015, c. 296, Pt. A, §1 (NEW); 2015, c. 296, Pt. D, §1 (AFF).]
- C. Falsely denies the existence of a presumed parent, acknowledged father or adjudicated parent of the child. [2015, c. 296, Pt. A, §1 (NEW); 2015, c. 296, Pt. D, §1 (AFF).]

[2015, c. 296, Pt. A, §1 (NEW); 2015, c. 296, Pt. D, §1 (AFF) .]

4. Presumed parent. A man who is a presumed parent under section 1881, subsection 3 may sign or otherwise authenticate an acknowledgment of paternity in accordance with the requirements of this subchapter.

[2015, c. 296, Pt. A, §1 (NEW); 2015, c. 296, Pt. D, §1 (AFF) .]

SECTION HISTORY

RR 2015, c. 1, §12 (COR). 2015, c. 296, Pt. A, §1 (NEW). 2015, c. 296, Pt. D, §1 (AFF).

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